

		<p>NELLIE OUELLETTE was appointed conservator on 1/12/1984.</p> <p>Order dated 2/23/15 transferred this case to Kern County. This status hearing was set for the receipt of transfer.</p> <p>Case file sent to Kern County on 5/6/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from 051315			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 6/11/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 - Ouellette</p>	

		<p>MARIA C. MAIRENA, Mother, is Conservator of the Person and Estate with bond of \$56,000.00.</p> <p>The Conservator's Third Account was settled on 8/23/12.</p> <p>On 10/17/14, the Court set this status hearing for failure to file a fourth account.</p> <p>Notice of Status Hearing was filed to Attorney Motsenbocker and Maria Mairena on 10/17/14.</p> <p>Status Report filed 5/6/15 by Attorney Dean Hiyama states Attorney Motsenbocker passed away on 2/19/15. Attorney Hiyama is in the process of purchasing Mr. Motsenbocker's business and is in the process of obtaining a Substitution of Attorney from Maria Mairena, as well as documents necessary to prepare and file the fourth account current, which will cover the period from 9/18/11 through 4/17/15. Attorney Hiyama estimates filing within the next 15 days and therefore requests continuance for approx. 30 days.</p> <p>Status Report filed 6/15/15 states due to the numerous amount of expenditures each month made on behalf of the Conservatee, the previously estimated time to complete the fourth account was not realistic. The anticipated fourth account current will be covering the period beginning 9/18/11 through 4/17/15. Attorney Hiyama requests an additional amount of time not to exceed 30 days.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need fourth account.</p>
Cont from 011415, 051315			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 6/11/15	
		Updates: 6/15/15	
		Recommendation:	
		File 2 – Mairena	

Attorney: None

Probate Status Hearing re: Receipt of Transfer

		FRANKLIN and CHRISTINA MATA, parents, were appointed conservators in Los Angeles County on 4/17/2001.	NEEDS/PROBLEMS/COMMENTS:
		Order dated 4/16/15 transferred this case to Orange County. This status hearing was set for the receipt of transfer.	1. Need Receipt of Transfer from Orange County.
Cont. from		Case file sent to Orange County on 5/14/15.	
Aff.Sub.Wit.			
Verified		Return Mail Receipt shows the case file was received by Orange County on 5/18/15.	
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 6/11/15	
		Updates:	
		Recommendation:	
		File 4 – Mata	

Attorney Donaldson, Larry A. (for Conservator Kenneth Roberts)

**Probate Status Hearing Re: Failure to Submit the Order after Hearing for'
Hearing on 12/3/13**

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p align="center">OFF CALENDAR</p> <p align="center"><i>Order on Final Account signed 6/10/2015.</i></p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 6/11/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 - Roberts</p>

6A

			See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. It appears Petitioner is requesting appointment as guardian ad litem for purposes of representing Jennifer Roberts' interests in her father's estate matter, which is Case No. 12CEPR00290. If that is the case, it appears it would be appropriate to have filed the petition for appointment in that matter. The Court may require clarification or authority for appointment in this Special Needs Trust matter to carry over to the estate matter.
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 6/12/15	
			Updates:	
			Recommendation:	
			File 6B - Roberts	

Status Hearing Re: Filing of the Final Account and/or Petition for Final Distribution

DOD: 8/23/12		<p>JESUSITA GONZALEZ was appointed Executor with full IAEA and without bond on 10/24/12.</p> <p>First Account and Report was approved on 6/18/14 at which time this status hearing was set for the filing of the petition for final distribution.</p> <p>Status Report filed on 6/5/15 states the estate is not now in a condition to be closed and no property can as yet safely be distributed by reason of the following: transfer of late discovered property, namely Liquor License No. 512703 remains in a pending escrow waiting for approval of transfer by the California Department of Alcohol Beverage Control (ABC). On or about 5/21/15, Petitioner spoke by phone with an ABC representative who indicated said license is to be released for transfer to another purchaser in the very near future.</p> <p>Petitioner requests authorization to continue administration of the estate until September 30, 2015.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 6/11/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 - Gonzales</p>		

Atty Kruthers, Heather (for Public Administrator)

Atty Galindo, Lupe (Pro Per – Former Executor)

Status Re: First and Final Account and Report of Executor With Will, and Petition for Final Distribution

DOD: 1-28-13		FRESNO COUNTY PUBLIC ADMINISTRATOR was appointed personal representative on 3/4/15. History: LUPE GALINDO , Niece, was appointed as Executor with Full IAEA without bond on 10/28/13. I&A filed 3-7-14 consists of real property valued at \$170,000.00. The California Department of Health Care Services originally filed a claim on 10/8/13 for \$148,510.68, but later amended the claim on 1/13/14 to \$98,508.40. On 11/20/14, Ms. Galindo filed a First and Final Account and Petition for Final Distribution in which she stated that she had submitted a hardship waiver to DHS and requested distribution of the real property to her, as she resides in the estate real property. Examiner Notes listed numerous deficiencies with the petition that have not been cured. At the continued hearing on 3/4/15, the Court removed Ms. Galindo and appointed the Public Administrator as personal representative. The Court ordered Ms. Galindo to provide all documents and information regarding the estate to the Public Administrator by 3/25/15 and set this status hearing.	NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Amended Final Account filed 6/8/15 is set for hearing on 7/14/15	
Cont from 010715, 060315				
<input type="checkbox"/>	Aff.Sub.Wit.			<input type="checkbox"/>
<input checked="" type="checkbox"/>	Verified			<input type="checkbox"/>
<input checked="" type="checkbox"/>	Inventory			<input type="checkbox"/>
<input checked="" type="checkbox"/>	PTC			<input type="checkbox"/>
<input checked="" type="checkbox"/>	Not.Cred.			<input type="checkbox"/>
<input type="checkbox"/>	Notice of Hrg			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Mail			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Pub.			<input type="checkbox"/>
<input type="checkbox"/>	Sp.Ntc.			<input type="checkbox"/>
<input type="checkbox"/>	Pers.Serv.			<input type="checkbox"/>
<input type="checkbox"/>	Conf. Screen			<input type="checkbox"/>
<input type="checkbox"/>	Letters			<input type="checkbox"/>
<input type="checkbox"/>	Duties/Supp			<input type="checkbox"/>
<input type="checkbox"/>	Objections			<input type="checkbox"/>
<input type="checkbox"/>	Video Receipt			<input type="checkbox"/>
<input type="checkbox"/>	CI Report			<input type="checkbox"/>
<input type="checkbox"/>	9202			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Order			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>		
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>		
<input type="checkbox"/>	UCCJEA	<input type="checkbox"/>		
<input type="checkbox"/>	Citation	<input type="checkbox"/>		
<input type="checkbox"/>	FTB Notice	<input checked="" type="checkbox"/>		
Reviewed by: skc				
Reviewed on: 6/11/15				
Updates:				
Recommendation:				
File 8 - Samora				

Atty McCloskey, Daniel T. (for Gregory L. Taylor – Administrator with Will Annexed)

Atty Anderson, Bonnie (for Diane Taylor)

Diane Taylor is now self-represented

Notice of Motion for Order Striking the Memorandum of Costs in Its' Entirety or in the Alternative Taxing Costs of Court

DOD: 2/16/09		GREGORY L. TAYLOR , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner moves the court for an order striking the entire Memorandum of Costs as untimely, or, in the alternative taxing the costs of this action under Cal. Rules of Court 870 and CCP § 1033.5 with specific reference to the following:	Note: Pursuant to Substitution of Attorney filed 6/15/15, Diane Taylor is now self-represented.
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<ol style="list-style-type: none"> Item 1(b) \$105.00 re a status report. Objector is not required to file a status report and it is unnecessary, not reasonable, excessive, and no results were achieved. Items 1(c)(e)(f) \$1,305.00 re filing fees to object to the First and Final Account as such pleadings were not necessary nor reasonable to secure Objector's inheritance. This cost was incurred after the 2006 Codicil was admitted to probate. Objector is seeking fees for not only work that was unreasonable, unnecessary, and in excessive amounts and where Objector lost on each objection. Items 5(a)-(c) \$307.71 service of process Item 8(a) \$75.00 cost not properly chargeable. Item 10 \$23,011.50. Attorney fees are not proper for inclusion in this memorandum of costs pursuant to CCP and can only be awarded through a noticed motion process or through the probate petition process. This matter was correctly referred back to the Probate Judge without hearing, and the cost of this item is not properly chargeable in this action nor is it a cost allowable by memorandum under CCP 1033.5. Item 11 \$606.17 for trial exhibits & blowup of charts. There was no trial so this is not a cost allowable under CCP. Item 12 \$1,035.00 for court reporter fees <p>Points and authorities provided.</p> <p>See also Declaration of Daniel T. McCloskey in Support of Motion for Order Taxing Costs filed 5/8/15.</p>	
			Reviewed by: skc
			Reviewed on: 6/11/15
			Updates: 6/16/15
			Recommendation:
			File 9 - Taylor

10 Billie J. Diener (Estate)**Case No. 13CEPR00556****Attorney: Philip M. Flanigan (for former Executor Eric P. Diener)****Attorney: Heather Kruthers (for Administrator, Public Administrator)****First and Final Account and Report of Successor Administrator and Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and Distribution.**

DOD: 12/14/09		PUBLIC ADMINISTRATOR , Successor Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 1/12/15 – 5/4/15	
Cont. from		Accounting - \$730,570.22	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$606,521.72	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$620,147.80	
<input checked="" type="checkbox"/>	Inventory	Administrator - \$17,611.41	
<input checked="" type="checkbox"/>	PTC	(statutory. PA asserts that the former Administrator should not be entitled to any fees given his lack of finalizing administration of this estate, thus requiring the PA's appointment and closing of the estate.)	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
	Aff.Pub.	Attorney - \$17,611.41	
	Sp.Ntc.	(statutory. Apportioned \$11,726.48 to Philip Flanigan and \$5,884.93 to County Counsel.)	
	Pers.Serv.		
	Conf. Screen	X/O (PA) - \$1,455.10	
<input checked="" type="checkbox"/>	Letters	8/22/13 (for sale of real and personal property and preparation of taxes.)	
	Duties/Supp		
	Objections	Costs (PA) - \$25.50	
	Video Receipt	(certified copies)	
	CI Report	Costs (Flanigan) - \$1,549.49	
<input checked="" type="checkbox"/>	9202	(filing fee, probate referee, publication, certified copies)	
<input checked="" type="checkbox"/>	Order		
	Aff. Posting	Bond fee - \$608.84	
	Status Rpt	Distribution pursuant to Decedent's Will is to:	
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice	Eric P. Diener - \$490,851.05 and real property.	

Reviewed by: KT
Reviewed on: 6/11/15
Updates:
Recommendation:
File 10 - Diener

Atty Paganetti, Steven E. (for Henry Barigian – Executor)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 01/27/1998	HENRY BARIGIAN , was appointed Executor with full IAEA without bond on 10/15/2014.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued on 10/16/2014.	
Cont. from 030415	Minute Order of 10/15/2014 set this status hearing for the filing of the Inventory and Appraisal.	1. Need Inventory and Appraisal.
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified	X	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input checked="" type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	<p>Status Conference Statement filed 6/8/2015 states:</p> <p>Executor Henry Barigian was appointed by the Court on 10/15/2014. The assets of the Estate of Warren Barigian include a 50 percent interest in real property generally known as 110 South 6th St. Fowler, Ca. The Fowler property is subject to a judgment of foreclosure and order of sale in favor of creditor Ray Bergman. The judicial foreclosure sale has not taken place, and there has been no judgment entered regarding any deficiency. Judgment will be entered based upon a noticed motion after the property is sold. The only other asset of Warren Barigian is an unsatisfied judgment against Craig Burchfiel and All Encompass Financial in the principal amount of \$132,210.75. It is unknown at this time whether there are any assets to satisfy any portion of this judgment.</p> <p>The Probate Refere in this case is Rick Smith. On June 5, 2015, an Inventory and Appraisal was sent of Mr. Smith for his determination regarding whether there is any value to these assets.</p> <p>It is requested that this status hearing be continued for a period of 60 days in order to obtain determination of value from Probate Referee Rick Smith.</p>	<p>Reviewed by: LV / LEG</p> <p>Reviewed on: 6/12/2015 (LEG)</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Barigian</p>

Attorney

Lind, Ruth P. (Court Appointed for Conservatee)

Attorney

Edwards, Mark D. (Petitioner – attorney for Johannes F. Shoemaker and Catharina M.

Vandepavert – Conservators)

Petition - Attorney Fees

Age: 78		MARK D. EDWARDS , Petitioner, represented the co-conservators in their petition for appointment as Conservator.	NEEDS/PROBLEMS/COMMENTS: 1. Need <i>Notice of Hearing</i> and proof of service by mail of <i>Notice of Hearing</i> at least 15 days before the hearing on the conservatee and all other interested parties. Note: Proof of service filed 06/15/15 states that a copy of the Petition was served on the Conservators on 05/20/15; however, Notice of Hearing (GC-020) is a Mandatory Form and should be used for Notice in Probate Matters. Note: CA Rules of Court Rule 7.752 states: Notwithstanding the time period after which a petition may be filed for an allowance of compensation to a guardian, conservator, or an attorney for a guardian or conservator, the court may order the guardian or conservator to file an accounting before or at the time a petition for an allowance of compensation is filed or heard. Note: A Status Hearing is currently set for 10/20/15 for filing of the First Account.	
Cont. from		JOHANNES F. SCHOEMAKER and CATHARINA M. VANDPAVERT , non-relatives (long-time friends), were appointed Co-Conservators of the Person and Estate on 08/19/14 with bond fixed at \$2,000,000.00. Bond filed 09/03/14 and Letters issued on 09/03/14.	Petitioner requests fees in connection with his representation of the Co-Conservators in the Petition for Appointment of Conservator. Petitioner asks that he be paid from the conservatorship estate for 34.9 hours @ \$250/hr. plus a filing fee of \$435.00 for a total of \$9,160.00. Services are itemized by date and include preparation of documents, visits with client, and court appearances.	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			x
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: JF Reviewed on: 06/11/15 Updates: 06/16/15 Recommendation: File 12 - Matsumura	

14 Burl Donald Kitchen (Estate)**Case No. 15CEPR00319**Attorney **Bagdasarian, Gary G. (for Beverly E. Kitchen – spouse/Petitioner)****Petition for Probate of Letters of Administration; Authorization to Administer Under****IAEA (Prob. C. 8002, 10450)**

DOD: 10/31/14	BEVERLY E. KITCHEN , surviving spouse, is Petitioner, and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner requests appointment without bond stating that there are no assets in the estate at this time. All beneficiaries/heirs have not waived bond. The Court may require more information.
Cont. from 051115	Full IAEA – OK	
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate	
<input checked="" type="checkbox"/> Verified	Residence: Fresno	
<input type="checkbox"/> Inventory	Publication: The Business Journal	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Estimated Value of the Estate: \$0.00 - Petitioner states that the only assets of the estate are rights of competing heirs as beneficiaries of a life insurance policy and individual retirement account. There are no other assets in the estate at this time.	
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Probate Referee: RICK SMITH	
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/07/15
		Updates:
		Recommendation:
		File 14 - Kitchen

Petitioner

Steven D. Stubblefield (Pro Per – Son – Petitioner)

Objector

Tasha Stubblefield (Pro Per – Grandson – Objector)

Attorney

Teixeira, J. Stanley (Court appointed for Proposed Conservatee)

Petition - Appoint Probate Conservator

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			<u>Court Investigator to advise rights, complete investigation.</u>
			Voting rights affected – need minute order.
Cont from 051315			1. Petitioner filed the GC-335 Attachment Requesting Special Orders Regarding Dementia separately on 6/2/15 and served a copy on relatives; however, need proof of service on Proposed Conservatee Lillie Stubblefield.
	Aff.Sub.Wit.		<u>Note:</u> An attorney has been appointed to represent the proposed Conservatee pursuant to Probate Code §§ 2356.5(f)(1), 1470, due to this request.
✓	Verified		2. Petitioner requests appointment without bond; however, pursuant to Cal. Rule of Court 7.207 and Probate Code §2320(c)(4), bond including cost of recovery is required for every conservator of the estate. Examiner calculates bond including cost of recovery at \$21,485.20.
	Inventory		<u>Note:</u> There is no provision for waiving the filing of an inventory and appraisal. Further, at least a first account is required prior to waiving further accounts pursuant to Probate Code §2628. Therefore, if granted, the Court will set status hearings as follows:
	PTC		<ul style="list-style-type: none"> Wednesday, Aug. 5, 2015 for filing bond Wednesday, Nov. 18, 2015 for filing the Inventory and Appraisal Wednesday, Sept. 14, 2016 for filing the first account.
	Not.Cred.		If the proper items are on file pursuant to Local Rule 7.5, the status hearings may be taken off calendar.
✓	Notice of Hrg		Reviewed by: skc
✓	Aff.Mail	W	Reviewed on: 6/11/15
	Aff.Pub.		Updates:
	Sp.Ntc.		Recommendation:
✓	Pers.Serv.	W	File 16 - Stubblefield
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
✓	Objections		
✓	Video Receipt		
	CI Report	X	
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		

Petitioner

Gomez, Christina Rose (pro per – sister)

Petition - Appoint Guardian

Age: 4 mos.		TEMPORARY EXPIRES 06/17/15		NEEDS/PROBLEMS/COMMENTS:	
		CHRISTINA ROSE GOMEZ, sister, is Petitioner.		1. Need <i>Notice of Hearing</i> .	
		Father: JOSE IBARRA – deceased		2. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:	
Cont. from		Mother: DOLORES MACIAS-IBARRA – Consent & Waiver of Notice filed 04/09/15; Personally served on 06/14/15		a. Felipe Ibarra (paternal grandfather)	
	Aff.Sub.Wit.			b. Maternal grandfather	
✓	Verified			c. Della Macias (maternal grandmother)	
	Inventory			d. Alisa Macias (sister) (if age 12 or over)	
	PTC			e. Angela Anguiano (sister) (if age 12 or over)	
	Not.Cred.			f. Miracle Ibarra (sister) (if age 12 or over)	
	Notice of Hrg	x		g. Jose Ibarra, Jr. (brother) (if age 12 or over)	
	Aff.Mail	x			
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.	w/			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
		Paternal grandfather: FELIPE IBARRA Paternal grandmother: SOCORRO IBARRA – deceased			
		Maternal grandfather: NOT LISTED Maternal grandmother: DELLA MACIAS			
		Siblings: ANGELINE MARTINEZ – Consent & Waiver of Notice filed 04/09/15, ALISA MACIAS, ANGELA ANGUIANO, MIRACLE IBARRA, JOSE IBARRA, JR.			
		Petitioner states [see petition for details].			
		Court Investigator Samantha Henson filed a report on 06/10/15.			
				Reviewed by: JF	
				Reviewed on: 06/12/15	
				Updates: 06/16/15	
				Recommendation:	
				File 17 - Ibarra	

Attorney: Palmer, Charles M., for Petitioner Luz Esperanza Yepes

Petition to Determine Succession to Real Property

DOD: 2/8/2015	LUZ ESPERANZA YEPES , is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. <i>Attachment 12(a)</i> containing a copy of Decedent's Will shows that the Will was not witnessed as required by Probate Code § 6110(c). Given that there are no subscribing witnesses to the Will, Petitioner as proponent of the Will in support of the instant <i>Petition to Determine Succession</i> must establish by clear and convincing evidence that, at the time the testator signed the Will, the testator intended the Will to constitute her Will, pursuant to Probate Code § 6110(c)(2) allowing treatment of a will or codicil not executed in compliance with Probate Code § 6110(c)(1) as if it was executed in compliance with the Probate Code requirements. <u>Update:</u> Declaration filed 6/15/15 states the original will <i>does include</i> a duly-executed signature page, however, it was mistakenly left off the copy submitted in the petition. The will was properly witnessed as per Probate Code § 6110(c). The original will was submitted to the Court on 6/15/15. <u>Examiner's Note:</u> The original will has now been submitted to the Court's Deposited Wills file. It will not be placed in this file, as it is not being admitted to probate. A copy of the will containing the witness' signatures was not submitted with the above declaration. <u>Therefore, need complete copy of the will for this summary proceeding file.</u>
	40 days since DOD.	
	No other proceedings.	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I & A - \$65,000.00	
<input checked="" type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Unwitnessed Will dated 12/20/2014 devises the entire estate to the Petitioner.	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.	Petitioner requests Court determination that Decedent's 100% interest in real property located at 935 Waterman Ave., Fresno, passes to the Petitioner pursuant to Decedent's Will.	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 6/12/15
		Updates: 6/16/15 (skc)
		Recommendation:
		File 18 - Linares

Attorney Arthur, Susan K., of Sanger, for Petitioner Kevin L. Barnes

Petition for Probate of Will and for Letters Testamentary

DOD: 11/7/2014	KEVIN L. BARNES , son and named Executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: The Court will set Status Hearings as follows: <ul style="list-style-type: none"> • Tuesday, November 17, 2015 at 9:00 a.m. in Dept. 303 for the filing of final inventory and appraisal; and • Wednesday, August 17, 2016 at 9:00 a.m. in Dept. 303 for the filing of first account and/or petition for final distribution. Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
Cont. from	Full IAEA: OK	
Aff.Sub.Wit.		
✓ Verified	Will Dated: 8/23/2011	
Inventory		
PTC	Residence: Sanger	
Not.Cred.	Publication: Sanger Herald	
✓ Notice of Hrg		
✓ Aff.Mail	W/	
✓ Aff.Pub.	Estimated value of the Estate:	
Sp.Ntc.	Real property - \$80,000.00	
Pers.Serv.	Personal property - \$ 200.00	
	Total - \$80,200.00	
Conf. Screen		
✓ Letters	Probate Referee: Rick Smith	
✓ Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 6/12/15
		Updates: 6/16/15 (skc)
		Recommendation: SUBMITTED
		File 19 - Barnes

Petition for Probate of Will and for Letters Testamentary (Lost Will) with IAEA

DOD: 12/10/14			<p>DANIEL TRZEBIATOWSKI, friend and named Executor without bond, is Petitioner.</p> <p>Full IAEA – ok</p> <p>Will dated 7/25/08</p> <p>Residence: Reedley, CA Publication: Reedley Exponent</p> <p>Estimated Value of Estate: Personal property: \$515,000.00 Annual income: \$ 1,000.00 Total: \$516,000.00</p> <p>Probate Referee: Steven Diebert</p> <p>Petitioner states he has been unable to locate the original will. The decedent had a domestic partner who lived with him from time to time; following his death, a number of pieces of furniture and personal items were removed from the house, despite Petitioner's request that nothing be removed. Petitioner believes the will was not destroyed, but that it was inadvertently misplaced or lost in the confusion following his death.</p> <p>Petitioner states the will was executed as part of an integrated estate plan including a living trust and pour-over will prepared by a law firm in Southern California. Petitioner has located the original trust, and several copies of the will, but has been unable to locate the original will. A signed copy of an amendment to the trust prepared in February 2014 has also not been found. Petitioner states in late 2013 or early 2014, he had several discussions with the decedent concerning his will and trust. He said everything should be sold and the proceeds divided into six equal shares. This is consistent with the 2014 amendment, which changed the distribution of the trust. Petitioner at all times was aware that he would be acting as executor and trustee on behalf of his friend.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The signatures of the two witnesses to the will are not dated. Need Proof of Subscribing Witness. Probate Code §§ 6110(c) and 8220.</p> <p><u>Note:</u> If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Wednesday, Nov. 18, 2015 for filing the Inventory and Appraisal Wednesday, Sept. 14, 2016 for filing the first account or petition for final distribution <p>If the proper items are on file pursuant to Local Rule 7.5, the status dates may come off calendar.</p>
<input type="checkbox"/>	Aff.Sub.Wit.	x		
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail	w		
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Petition to Determine Succession to Real Property

DOD: 12/1/13		Petitioners are: <ul style="list-style-type: none"> • RAMONA MEJIA (Daughter) • MARIA SANDOVAL (Daughter) • ROSEMARY GARCIA (Daughter) • SOCORRO VILLAREAL (Daughter) • GUADALUPE BORJAS (Daughter) • CONNIE MEJIA SANDERS (Daughter) • RUTH MEJIA (Daughter) • JESSICA OCHOA (Daughter) • SALVADOR MEJIA (Son) • ANGELINA GARCIA (Daughter) • CHRISTINA GONZALES (Niece) <p>40 days since DOD</p> <p>No other proceedings</p> <p>Will dated 8/12/09</p> <p>I&A: \$120,000.00 (Real property)</p> <p>Petitioners request Court determination that the decedent's 100% interest in the real property passes to them in 1/11 interests each pursuant to the decedent's will. In addition, Salvador Mejia will have the right to live in the residence as long as he wishes to do so.</p>	NEEDS/PROBLEMS/COMMENTS:	
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/O
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 6/12/15	
			Updates:	
			Recommendation: SUBMITTED	
			File 21 - Mejia	

Attorney Erlach, Mara M. (for Christina F. Rendino – surviving spouse/Petitioner)

Petition for Letters of Administration; Authorization to Administer Under the
Independent Administration of Estates Act

DOD: 09/23/14		CHRISTINA F. RENDINO , surviving spouse, is Petitioner, and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Full IAEA – OK	1. According to item 6 of the petition, decedent was survived by a parent and decedent's mother is listed in item 8, however, decedent's father is not listed, therefore if he is deceased, need his date of death pursuant to Local Rule 7.1.1D - If a beneficiary, heir, child, spouse, or registered domestic partner in any action before the Probate Court is deceased, that person's date of death shall be included in the petition.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Decedent died intestate	2. Petitioner requests appointment without bond and a waiver of bond was filed on behalf of decedent's mother, Mercedes Rendino; Petitioner signed the waiver of bond on behalf of decedent's mother as her attorney-in-fact. The Court may require more information and/or authority for waiving bond by power of attorney.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Residence: Fresno Publication: The Business Journal	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Estimated Value of the Estate: Personal property - \$ 40,000.00 Annual income - 500.00 Real property - 200,000.00 Total - \$240,500.00	
<input checked="" type="checkbox"/>	Aff.Mail w/o		
<input checked="" type="checkbox"/>	Aff.Pub.	Probate Referee: RICK SMITH	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: JF
Reviewed on: 06/12/15
Updates:
Recommendation:
File 22 - Rendino

Petition to Determine Succession to Real Property

DOD: 4/10/13		<p>MARLENE BEYER, Sister and Trustee of the Loren D. Hanke Trust dated 9/29/08, is Petitioner.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&A: \$18,000.00 (a 1/5 interest in real property located at 3891 N. Lafayette in Fresno)</p> <p>Will dated 9/29/08 devises personal property to Petitioner and the residue to the Loren D. Hanke Trust dated 9/29/08.</p> <p>Petitioner requests court determination that the decedent's interest in the real property passes to her as trustee pursuant to decedent's will.</p>	NEEDS/PROBLEMS/COMMENTS:	
<input type="checkbox"/>	Aff.Sub.Wit.			S/P
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: skc
Reviewed on: 6/12/15
Updates: 6/16/15
Recommendation: SUBMITTED
File 23 - Hanke

Attorney
Attorney

Knudson, David (Court Appointed for Conservatee)
Kruthers, Heather H. (for Public Guardian – Petitioner)

Petition for Appointment of Probate Conservator of the Person and Estate

Age: 80 years		TEMPORARY EXPIRES: 06/17/15		NEEDS/PROBLEMS/COMMENTS: Court Investigator advised rights on 06/04/15. <u>Note:</u> the Court will set status hearings as follows: <ul style="list-style-type: none"> Wednesday, Nov. 18, 2015 for filing the Inventory and Appraisal Wednesday, Sept. 14, 2016 for filing the first account. If the proper items are on file pursuant to Local Rule 7.5, the status hearings may be taken off calendar.
		PUBLIC GUARDIAN , is Petitioner and requests appointment as Conservator of the Person with medical consent and dementia powers to administer dementia medications and for placement in a secured perimeter facility and for appointment as conservator of the estate without bond.		
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w/		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	w/		
	Conf. Screen	n/a		
✓	Letters			
	Duties/Supp	n/a		
	Objections			
	Video Receipt	n/a		
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
✓	Citation			
	FTB Notice			
				Reviewed by: JF Reviewed on: 06/12/15 Updates: Recommendation: File 24 - Owen